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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,033	12/30/2000	Timothy R. Collier	42390P10501	9680

7590 09/13/2006

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
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EXAMINER
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ROBINSON BOYCE, AKIBA K

ART UNIT	PAPER NUMBER
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3639

DATE MAILED: 09/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/753,033

Applicant(s)

COLLIER ET AL.

Examiner

Akiba K. Robinson-Boyce

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/16/06 has been entered.

### ***Status of Claims***

2. Due to communications filed 6/16/06, the following is non-final office action. Claims 1-24 have been cancelled, and claims 25-46 have been added. Claims 25-46 are pending in this application and have been examined on the merits. The previous rejection has been withdrawn, and the following reflects new claims 25-46.

### ***Claim Objections***

3. Claims 25, 31, 41 are objected to because of the following informalities: In line 8, of claim 25, and line 10 of claim 41, the following phrase is repeated twice in a row: "the tentative hold", and in line 2 of claim 31, the word "form" should be replaced with "from". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

4. Claims 25-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halavais et al (WO 00/65506, hereinafter WO' 506), and further in view of Sankaranarayan et al (US 6,799,208).

As per Claim 25, WO' 506 discloses a method comprising:

Receiving information from...representing different providers regarding available resource items from the respective providers, (Fig. 1, steps 1-4, server presents customer with an event log of available venues for vendors, where vendors are coded and placed on an internet server for customer browsing purposes);

Receiving a user request for a tentative hold on an available item, (Fig. 1, step 8, customer makes a selection of the specific seat/seats he wishes to reserve);

Sending a tentative hold request for an available resource item to the corresponding remote server in response to the user request, (Fig. 1, step 8, selection is submitted to the server);

Receiving confirmation of the tentative hold from the corresponding remote server, the tentative hold, the tentative hold reserving the resource item without excluding other tentative holds for the resource item, (Fig. 1, step 9, server creates a temporary customer identification corresponding to the selections (confirmation of customer's choices), and allows multiple simultaneous users);

Sending a reservation request for the resource item to the corresponding remote server in response to a user confirmation for the resource item, the reservation excluding other reservations for the resource item, (Fig. 1, steps 11(a)-12, permanent customer identification for a particular server based on selections are created as a result of customer payment verification (confirmation) being successful, and customer's selections removed from inventory);

WO' 506 does not disclose at least two different remote servers, but does disclose accessing a wide area network on Page 1, line 12-14, in order to access two or more resource items on Page 5, lines 3-6 where the customer initiates a transaction to seat a party of four at a table. In this case, four resource items, represented by seats are disclosed.

However, Sankaranarayan et al discloses:

At least two different remote servers, (Abstract, lines 3-23, shows multiple resource providers that support resource consumers, where consumers are arbitrated access to the resources provided by resource providers, also, col. 7, lines 47-67, shows multiple providers, where each provider is associated with a resource, and each resource is a fine quantity of a computing component in the computer system that is utilized to perform various tasks or functions, where the multiple resource providers support one or more resource consumers such as a system component or application. In this case, the multiple providers represent at least two different remote servers since the resource manager arbitrates access to the resources (local or remote) provided by the resource providers as shown in col. 89, lines 24-31). Sankaranarayan et al discloses this limitation in an analogous art to show resource management, implementing multiple resource providers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have at least two different remote servers with the motivation of implementing a system that can function in a wide area networked environment.

As per Claim 26, WO' 506 further discloses the method, wherein receiving information comprises receiving the information at a transaction coordinator of a client system operated by the user and wherein sending a tentative hold request and sending a reservation request comprise sending by the transaction coordinator, (Figs. 1 and 6, page 3, line 5 - page 4, line 13., page 8, line 10 - page 10, line 3).

As per Claim 27, WO' 506 further discloses the method, further comprising wherein sending from the transaction coordinator comprises sending to a remote transaction manager, the transaction manager being connected to the remote servers and causing a tentative hold record to be created an associated with the resource item, (Figs. 1 and 6, page 3, line 5 - page 4, line 13., page 8, line 10 - page 10, line 3).

As per Claim 28, WO' 506 further discloses the method, wherein sending a reservation request comprises the transaction coordinator directing the commitment of a transaction corresponding to the tentative hold after successfully gaining the tentative hold on the resource items and receiving confirmation from the transaction manager regarding the tentative hold, (Figs. 1 and 6, page 3, line 5 - page 4, line 13., page 8, line 10 - page 10, line 3).

As per Claim 29, WO' 506 discloses a method comprising:

Wherein the directing the commitment of the transaction comprises initiating conventional Two-Phase Commit (2PC) prepare and commit processing for the transaction, (Figs. 1 and 6, page 3, line 5 - page 4, line 13., page 8, line 10 - page 10, line 3).

As per Claim 30, WO' 506 discloses a method comprising:

Wherein sending a tentative hold request comprises sending call back information, (see Id.).

As per Claim 31, WO' 506 discloses a method comprising:

Further comprising receiving a notification from the corresponding remote server using the call back information, the notification indicating that the resource item is no longer available and notifying the user accordingly, (see Id.)

As per Claim 32, WO' 506 discloses a method comprising:

Wherein the tentative hold records are stored at an intermediate server that is not within the providers offering the resource items, (Fig. 1, step 8)

As per Claim 33, WO' 506 discloses a method comprising:

Wherein sending a reservation request comprises requesting an exclusive lock on the resource item, (Fig. 1, step 8).

As per Claim 34, WO' 506 discloses a method comprising:

Wherein the tentative hold has a timeout, (Fig. 1, steps 9-11(b)).

As per Claim 35, WO' 506 discloses a method comprising:

Further comprising receiving a user request for a resource item, and querying the different providers for corresponding available resource items in response to the user request, before receiving information, (Figs. 1 and 6, page 3, line 5 - page 4, line 13., page 8, line 10 - page 10, line 3).

As per Claim 36, WO' 506 discloses a method comprising:

Further comprising sending a tentative hold request for a plurality of additional items, receiving confirmations of the tentative holds for additional items, and reporting the confirmed tentative holds to the user, (See Id.).

As per Claim 37, WO' 506 discloses a method comprising:

Further comprising sending reservation request for a portion of the additional items in response to a user confirmation for the additional items, (See Id.).

As per Claim 38, WO' 506 discloses a method comprising:

receiving information from at least two different providers regarding at least two available transactions, the two or more transactions involving two or more resource items, (Fig. 1, steps 1-4, server presents customer with an event log of available venues for vendors, where vendors are coded and placed on an internet server for customer browsing purposes); and

receiving a tentative hold request for an available resource item, (Fig. 1, step 8, customer makes a selection of the specific seat/seats he wishes to reserve);

requesting that a resource manager place a tentative hold on the resource item involved in the transaction, the tentative hold allowing other tentative holds to be simultaneously maintained on the resource item, (Fig. 1, step 8, selection is submitted to the server);

associating the tentative hold with the resource item and storing call back information identifying a return communication path to the requestor, (Fig. 1, steps 9-10 (a), temporary customer identification related to selections, associating selections with



the identification, and providing a form to the customer for retrieval of payment information related to the resource);

receiving a transaction request for the resource item, (Fig. 1, step 10, server requests payment information); and

granting an exclusive lock on the resource item, (Fig. 1, steps 11(a)-12, permanent customer identification for a particular server based on selections are created as a result of customer payment verification (confirmation) being successful, and customer's selections removed from inventory);

WO' 506 does not disclose two or more transactions for two or more resource items that are from different service providers, but does disclose accessing a wide area network on Page 1, line 12-14, in order to access two or more resource items on Page 5, lines 3-6 where the customer initiates a transaction to seat a party of four at a table. In this case, four resource items, represented by seats are disclosed.

However, Sankaranarayan et al discloses:

two or more transactions for two or more resource items that are from different service providers, (Abstract, lines 3-23, shows multiple resource providers that support resource consumers, where consumers are arbitrated access to the resources provided by resource providers, and consumers can create one or more "configurations" that describe various sets of preferred resources and can specify one or more configurations for each activity. In this case, more than one activity is shown, which represents the two or more transactions). Sankaranarayan et al discloses this limitation in an analogous art to show resource management, implementing multiple resource providers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have two or more transactions for two or more resource items that are from different service providers with the motivation of implementing a system that can function in a wide area networked environment.

As per Claim 39, WO' 506 discloses a method comprising:

Wherein the requestor is an originating application, the method further comprising responsive to the transaction request notifying, via corresponding call back information, other applications having tentative holds on the same resource items that their respective tentative holds have been suspended, (See Id.).

As per Claim 40, WO' 506 discloses a method comprising:

Receiving a second request associated with a second transaction, the second request soliciting a tentative hold on the resource item, (Fig. 1, step 8, customer makes a selection of the specific seat/seats he wishes to reserve, in this case, more than one seat being selected represents a second request, and in order to have these resourced items processed through the transaction, these second tentative hold records must be created for second resource items);

Creating a second tentative hold record and associating it with the resource item, Fig. 1, step 8, selection is submitted to the server);

Maintaining a second tentative hold on the resource item until an exclusive lock is obtained on the resource item or for a predetermined amount of time, whichever occurs first, (Fig. 1, step 9, server creates a temporary customer identification

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corresponding to the selections (confirmation of customer's choices), and allows multiple simultaneous users);

Upon receiving the transaction request, suspending the second non-mutually exclusive hold and granting an excluding lock on the resource item, (Fig. 1, steps 11(a)-12, permanent customer identification for a particular server based on selections are created as a result of customer payment verification (confirmation) being successful, and customer's selections removed from inventory).

As per Claim 41, WO' 506 discloses a method comprising:

Receiving information from at least two different remote servers representing different providers regarding available resource items from the respective providers, (Fig. 1, steps 1-4, server presents customer with an event log of available venues for vendors, where vendors are coded and placed on an internet server for customer browsing purposes);

Receiving a user request for a tentative hold on an available item, (Fig. 1, step 8, customer makes a selection of the specific seat/seats he wishes to reserve);

Sending a tentative hold request fro an available resource item to the corresponding remote server in response to the user request, (Fig. 1, step 8, selection is submitted to the server);

Receiving confirmation of the tentative hold from the corresponding remote server, the tentative hold, the tentative hold reserving the resource item without excluding other tentative holds for the resource item, (Fig. 1, step 9, server creates a

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temporary customer identification corresponding to the selections (confirmation of customer's choices), and allows multiple simultaneous users);

Sending a reservation request for the resource item to the corresponding remote server in response to a user confirmation for the resource item, the reservation excluding other reservations for the resource item, (Fig. 1, steps 11(a)-12, permanent customer identification for a particular server based on selections are created as a result of customer payment verification (confirmation) being successful, and customer's selections removed from inventory);

WO' 506 does not disclose at least two different remote servers, but does disclose accessing a wide area network on Page 1, line 12-14, in order to access two or more resource items on Page 5, lines 3-6 where the customer initiates a transaction to seat a party of four at a table. In this case, four resource items, represented by seats are disclosed.

However, Sankaranarayan et al discloses:

At least two different remote servers, (Abstract, lines 3-23, shows multiple resource providers that support resource consumers, where consumers are arbitrated access to the resources provided by resource providers, also, col. 7, lines 47-67, shows multiple providers, where each provider is associated with a resource, and each resource is a fine quantity of a computing component in the computer system that is utilized to perform various tasks or functions, where the multiple resource providers support one or more resource consumers such as a system component or application. In this case, the multiple providers represent at least two different remote servers since

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the resource manager arbitrates access to the resources (local or remote) provided by the resource providers as shown in col. 89, lines 24-31). Sankaranarayan et al discloses this limitation in an analogous art to show resource management, implementing multiple resource providers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have at least two different remote servers with the motivation of implementing a system that can function in a wide area networked environment.

As per Claim 42, WO' 506 discloses a method comprising:

Wherein the instruction are further to receive user request for a resource item, and query the different providers for corresponding available resource items in response to the user request, before receiving information, (Fig. 1, step 7).

As per Claim 43, WO' 506 discloses a method comprising:

Sending a tentative hold request for a plurality of additional items, (Fig. 1, step 8, customer makes a selection of the specific seat/seats he wishes to reserve, in this case, more than one seat being selected represents a second request, and in order to have these resourced items processed through the transaction, these second tentative hold records must be created for second resource items);

Receiving confirmations for the tentative holds for additional items, (Fig. 1, step 9, server creates a temporary customer identification corresponding to the selections (confirmation of customer's choices), and allows multiple simultaneous users);

Reporting the confirmed tentative holds to the user, (Fig. 1, step 10, requests payment information associated with user selections and customer identification, in this

case payment information is requested through a form input, which lets the customer know that the requested resources are on hold); and

· Sending reservation requests for a portion of the additional items in response to a user confirmation for the additional items, (Fig. 1, steps 11(a)-12, permanent customer identification for a particular server based on selections are created as a result of customer payment verification (confirmation) being successful, and customer's selections removed from inventory).

As per Claim 44, WO' 506 discloses a method comprising:

A distributed transaction coordinator executing on a first client system, the distributed transaction coordinator to place tentative holds on each of a plurality of resource items associated with a transaction that spans a plurality of network resources, the tentative holds reserving the respective resource item without excluding other tentative holds for the resource items, and to commence completion of transaction by obtaining exclusive locks on each of the plurality of resource items after the tentative holds have been successfully granted on each of the plurality of resource items, wherein the plurality of resource items are from different service providers (Fig. 1, steps 5-8); and

A distributed transaction manager executing on a server system communicatively coupled with a plurality of client systems including the first client system, the distributed transaction manager to maintain a plurality of tentative holds for each of a plurality of resource items associated with the server system and to grant only one exclusive lock

per single resource item of the plurality of resource items at a given time in response to requests from distributed transaction coordinators, (Fig, 1, steps 9-11(a)).

WO' 506 does not disclose two or more transactions for two or more resource items that are from different service providers, but does disclose accessing a wide area network on Page 1, line 12-14, in order to access two or more resource items on Page 5, lines 3-6 where the customer initiates a transaction to seat a party of four at a table. In this case, four resource items, represented by seats are disclosed.

However, Sankaranarayan et al discloses:

two or more transactions for two or more resource items that are from different service providers, (Abstract, lines 3-23, shows multiple resource providers that support resource consumers, where consumers are arbitrated access to the resources provided by resource providers, and consumers can create one or more "configurations" that describe various sets of preferred resources and can specify one or more configurations for each activity. In this case, more than one activity is shown, which represents the two or more transactions). Sankaranarayan et al discloses this limitation in an analogous art to show resource management, implementing multiple resource providers.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to have two or more transactions for two or more resource items that are from different service providers with the motivation of implementing a system that can function in a wide area networked environment.

As per Claim 45, WO' 506 discloses a method comprising:

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Wherein the distributed transaction coordinator includes a Two-Phase Commit transaction coordinator, (Figs. 1 and 6, page 3, line 5 - page 4, line 13., page 8, line 10 - page 10, line 3).

As per Claim 46, WO' 506 discloses a method comprising:

Wherein the distributed transaction manager is further to notify other distributed transaction coordinators that a tentative hold for a resource item has been suspended upon granting the exclusive lock for the resource item, Fig. 1, step 11(b)).



***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7238 [After final communications, labeled "Box AF"], 703-746-7239 [Official Communications], and 703-746-7150 [Informal/Draft Communications, labeled "PROPOSED" or "DRAFT"].

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



A. R. B.

September 6, 2006